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PTO/SB/21 (04-07)

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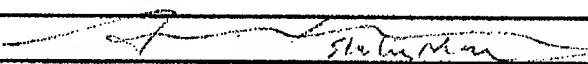
TRANSMITTAL
FORM

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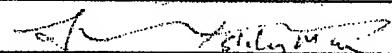
Application Number	10/688,269
Filing Date	10-20-2003
First Named Inventor	MAA, SHALONG
Art Unit	2109
Examiner Name	BELOUSOV, ANDREY

Attorney Docket Number

ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/ Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): APPLICANT INITIATED INTERVIEW REQUEST FORM
<input type="checkbox"/> Remarks <i>Fax: (571) 273-8300</i>		
SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT		
Firm Name		
Signature		
Printed name	MAA, SHALONG	
Date	07 May 2007	Reg. No. 44,006

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

Signature	
Typed or printed name	MAA, SHALONG

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450, DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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PTOL-413A (09-06)
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Applicant Initiated Interview Request Form

Application No.: 10/688,269 First Named Applicant: Ma, Shalay
 Examiner: Belousov, Andrew Art Unit: 2104 Status of Application: Pending
Final Rejection

Tentative Participants:

(1) Shalay Ma, Applicant (2) Andrew Belousov, Examiner
 (3) James W. Myhra, Sup. Examiner (4) _____

Proposed Date of Interview: 08 May 2007 Proposed Time: 1:00 (AM/PM)

Type of Interview Requested:

(1) Telephonic (2) Personal (3) Video Conference
 (571)272-6722

Exhibit To Be Shown or Demonstrated: YES NO
 If yes, provide brief description: _____

Issues To Be Discussed

Issues (Rej., Obj., etc)	Claims/ Fig. #s	Prior Art	Discussed	Agreed	Not Agreed
(1) <u>Rej.</u>	<u>61-63-68</u>	<u>DELEEUW</u>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(2) <u>Rej.</u>	<u>81-89</u>	<u>DELEEUW</u>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(3) _____	_____	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(4) _____	_____	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
[] Continuation Sheet Attached					

Brief Description of Arguments to be Presented:

see Attached sheets

An interview was conducted on the above-identified application on _____.
 NOTE: This form should be completed by applicant and submitted to the examiner in advance of the interview (see MPEP § 713.01).

This application will not be delayed from issue because of applicant's failure to submit a written record of this interview. Therefore, applicant is advised to file a statement of the substance of this interview (37 CFR 1.133(b)) as soon as possible.


 Applicant/Applicant's Representative Signature


 Examiner/SPE Signature

MAA, SHALAY
 Typed/Printed Name of Applicant or Representative

461,006

Registration Number, if applicable

This collection of information is required by 37 CFR 1.133. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 21 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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ISSUES TO BE DISCUSSED DURING THE INTERVIEW

The issues I would like to discuss during the interview are related to the matters in the teachings of DELEEUW that are newly referred to in the Final Office Action and not referred to in the first Office Action. They are summarized as follows:

- (A) Ref. no. 22 in FIG.2 in DELEEUW, which is referred to 14 times in rejecting Claims 61, 81, 82, 88, and 89 in the Final Action. The associated claim elements – “Live Information Including Textual Data” – is a critical claim element that distinguish the claimed invention from prior art;
- (B) Dictionary definitions of the term “Stock Ticker”, which is originally used in DELEEUW (FIG. 2:22);
- (C) DELEEUW 5:65 – 6:20, which is referred to in rejecting Claims 68, 83, and 88 (Amendments thereto proposed) in the Final Action. The associated claim element – “Transparent Window” – is a critical element that distinguishes the claimed invention from prior art.

Details

PART I. Live Information Including Textual Data
(Claims 61, 81, 82, 88, and 89)

1.0 Applicant disagrees that the Claim element “Live Information Including Textual Data” is equivalent to ref no. 22 in DELEEUW (FIG. 2).

1.1 In the Final Office Action, the Examiners quoted FIG.2:22 in DELEEUW as “stick price” and “stock quote” in rejecting these claims. HOWEVER, in DELEEUW, the ref no. 22 in FIG. 2 therein is only taught as “Stock Ticker”, not stock quote or stock price. SEE FIG. 2; 5:56-59; 6:4-8, which are the only teachings in DELEEUW that directly describe the ref no. 22.

(AGREE?)

1.2 Absent further description of the term "Stock Ticker" in DELEEUW, we may rely on dictionaries in finding the meanings of such term: (i) in "OXFORD DICTIONARY", ticker – 1. the heart, 2. a watch, 3. a machine that receives and print telegraphed messages onto paper tape; (ii) in "The RANDOM HOUSE DICTIONARY", ticker – a telegraph receiving instrument that automatically print stock price, market reports, etc., on a paper tape.

Thus, it is readily evident that ref no. 22 in FIG.2 in DELEEUW is a reflection of a **physical device** (stock ticker) captured by a video camera (same with / similar to ref. no. 20, which is also a physical device – a clock).

(Agree ?)

1.3 With respect to "Live Information" received by a computer, throughout the teachings of DELEEUW, live or real-time video imaging reflecting a (physical) "scene" captured by a video camera is described. See, e.g., in DELEEUW, 1:31-33; 1:42-49; 2:55-60; 3:46-50; 11:45-48; 18:42-44. (Notice the keywords "video", "scene", "capture", and "reflect").

(Agree ?)

1.4 DELEEUW's specification only provides a brief statement about ref no. 22 in FIG. 2, at 5:56-59 ("In the example shown in FIG. 2, display components such as a clock 20 and **stock ticker 22** are shown as sample **application program** display features which illustrate the **use of transparency** ...") Thus, the ref no. 22 in FIG. 2 is directly associated with an "Application Program" using "transparency". Such an application program 502 is described in details therein in conjunction with FIGS. 10-11; 11:32-14:29.

(Agree?)

1.5 As for live-information related application program, it appears that the Examiner agrees that the application program 502 in FIG. 10 in DELEEUW is equivalent to the claim element "live-information-display component" (in rejecting Claim 82, on page 5 in the Final Action). However, DELEEUW only teaches that the application program 502 receives and manages video data received from a video camera or other source, and does NOT teach that the application program 502 receives and handle text data. It does not provide any component within the application program 502 and the filter graph 510 that has any basic text-data-display related functionality, such as

control of font, size, color, positions/ text wrapping, *etc.* (*i.e.*, the functionality of a web browser, a note pad, or a word processor), FIGS. 10-11; 11:32-14:29. [Notice that, (i) Once the data 500 are within the computer system 100, they will be processed by the application program 502/504 (11:39-43) – the starting point of data processing; and (ii) the “video renderer with transparency” 528 is the final data-display related component within the application program 502/510 (13:47-51) – the final point of data processing.]

(Agree?)

1.6 DELEEUW provides a detailed description of the “double buffering technique” in association with display of the transparent graphic frame buffer 18, in which the stock ticker 22 and the clock 20 reside. See 7:58-9:31. The double buffering is for the purpose of providing “smooth update of display data” (8:7-9).

This is another indication that the buffer 18 is provided for storing image frames of a streaming video – the display of a sequence of image frames need to be “updated” in a “smooth” manner using double buffering, by letting the video card 210 read the data from a visible buffer, and in the meantime, writing to the second buffer which is made “non-visible” during such writing. (7:66-8:8). Otherwise, if the data is not a streaming video, such double buffering would be unnecessary, since it takes a lot of memory space, especially when the display layer is to be made transparent and the size of the buffer 18 is made the same as the entire screen.

PART II. Transparent Window Having Finite-Size Mode

(Claims 68, 83, 88)

2.0 The following Claim limitation will be added to Claims 68, 83, and 88:

 said window including a window-control function for causing said window to be closed or for causing said display area of said window to be minimized in response to receiving a user input by said computer system.

2.1 The Examiners state in the Final Action that, in DELEEUW, the application program 502 in FIG. 10 is the application directly associated with “transparent window” (the claim element) (PP3 and 7 in the Final Action), and the display content within such transparent window is FIG.2:22 (P7). I agree.

2.2 The PART I above demonstrates that FIG.2:22 in DELEEUW is just a portion of a real-life physical scene captured by a video camera. DELEEUW does NOT teach that the application program 502 receives data input from two separate data sources at the same time, such as from two video camera (or one from a text data source and another from a camera) (FIGS. 10-11; 11:32-14:29). Thus, items 20 and 22 cannot be in two separate windows.

(Agree?)

2.3 The fact that the two items or “components” 20 and 22 and the entire transparent layer are stored within a single frame buffer 18 (FIG.2) indicates that these two items are not contained within two separate windows (or one within a window, and the other rendered as a background). Otherwise, there would be issue of overlapping. Also Notice that the size of the buffer 18 is made the same as the size of the operating system output frame buffer 10 (i.e., the entire screen, whereas the claimed transparent window has a finite-size mode)

(agree?)

2.4 In DELEEUW, the transparent layer 18 and the related data are only processed and rendered by the application program 502/510. DELEEUW does not teach that the application program 502/510 includes some basic window-display related functionality, such as closing or minimizing the window (such functionalities are only included in the conventional operating system 10). FIGS. 10-11; 11:32-14:29.

Thus, the items 20 and 22 are not contained within separate windows (i.e., within the meaning of the claimed invention or within the meaning of the conventionally understood concept of “window”)

(Agree?)

2.5 In DELEEUW, the display items 12, 14, and 16 rendered by the operating system are referred to as “windows”; whereas the transparent items 20 and 22 are referred to as “display components”, i.e., not as window. (5:65-6:20) Thus, DELEEUW expressly indicates that the item 20 or 22 are not the same as a window. (Again, there is no other direct description of the item 22 therein)

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(Agree?)

2.6 DELEEUW expressly states that the transparent layer is "rendered to the **entire screen** of the PC's display" (2:55-58)

2.7 In DELEEUW, the transparent layer / video reflection is employed as a user-input means to "interact with [any] application program and operating system ... much as the user now does with a mouse ..." (3:14-26; 11:45-50).

Thus it indicates that the transparent layer 18 shall cover the entire screen; Otherwise, it cannot be used as a user-input "much as the user does not with a mouse."

(Agree?)

PART III CONCLUSION

3.0 I have carefully read the teachings of DELEEUW, and did not find any other matters therein that pertain to the claim elements "**Live Information**" and "**Transparent Window**".

(Agree?)

4. If the examiners agree with Applicant's arguments and allowable subject matters are found during the interview, Applicant respectfully requests withdrawal of the finality status of the rejection. MPEP 706.07(e).

5. ~~Since it is already at the final stage of the prosecution, it is respectfully requested that, before the Interview, the Examiner and the Supervisory Examiner get familiar with the issues, especially those portions of DELEEUW mentioned herein. If the Examiners need more time, I would certainly like to wait until the Examiners are ready~~ *S.M.*

6. Amendment to Claim 82. (only present it in better form)

Tw= 1,635; 8,355